

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON TAXATION**

**Call to Order:** By **CHAIRMAN KARL WAITSCHIES**, on January 11, 2005  
at 8:00 A.M., in Room 152 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Karl Waitschies, Chairman (R)  
Rep. Gary Branae, Vice Chairman (D)  
Rep. Bob Lake, Vice Chairman (R)  
Rep. John Balyeat (R)  
Rep. Edward B. Butcher (R)  
Rep. Jill Cohenour (D)  
Rep. Wanda Grinde (D)  
Rep. George G. Groesbeck (D)  
Rep. Dennis Himmelberger (R)  
Rep. Carol Lambert (R)  
Rep. Dave McAlpin (D)  
Rep. Jim Peterson (R)  
Rep. Holly Raser (D)  
Rep. John (Jack) W. Ross (R)  
Rep. Scott Sales (R)  
Rep. Bill Warden (R)  
Rep. Brady Wiseman (D)

**Members Excused:** Rep. Norma Bixby (D)  
Rep. Margaret H. Campbell (D)  
Rep. Tom Facey (D)

**Members Absent:** None.

**Staff Present:** Jeff Martin, Legislative Branch  
Debra Polhemus, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 158, 1/6/2005; HB 194, 1/6/2005

Executive Action: HB 194, HB 85, HB 38

**HEARING ON HB 194**

**Opening Statement by Sponsor:**

00:00:25 **REP. GARY MATTHEWS (D), HD 40**, opened the hearing on HB 194, Clarify distribution of oil and gas production taxes.

**Proponents' Testimony:**

00:01:30 Gene Walborn, Montana Department of Revenue  
00:03:44 William (Willy) Duffield, Executive Director,  
Montana Association of Oil, Coal & Gas Producing  
Counties  
00:04:50 Gail Abercrombie, Executive Director, Montana  
Petroleum Association  
00:05:17 Ron Devlin, NorthWestern Energy  
00:06:49 Patrick Montalban, Northern Montana Oil and Gas  
Association

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

00:07:44 **REP. WISEMAN**

00:08:38 **Closing by Sponsor:** **REP. GARY MATTHEWS (D), HD 40**  
closed the hearing on HB 194.

**HEARING ON HB 158**

00:09:22 **Opening Statement by Sponsor:** **REP. JOE MCKENNEY (R), HD 18**, opened the hearing on HB 158, Revise and clarify income tax withholding.

**Proponents' Testimony:**

00:10:54 Neil Peterson, Montana Department of Revenue  
[EXHIBIT](#)(tah07a01)

**Opponents' Testimony:** None.

**Informational Testimony:** None.

Questions from Committee Members and Responses:

00:18:53

REP. LAKE

00:21:22

Closing by Sponsor: REP. JOE MCKENNEY (R), HD 18,  
closed the hearing on HB 158.

EXECUTIVE ACTION ON HB 194

00:22:41

Motion: REP. BUTCHER moved that HB 194 DO PASS.

Discussion:

00:23:01

REP. PETERSON

00:25:46

REP. BUTCHER

00:28:34

Vote: Motion passed unanimously by roll call  
vote with REP. BIXBY, REP. CAMPBELL and REP. FACEY  
voting aye by proxy.

00:29:01

Motion/Vote: REP. LAKE moved that HB 194 be  
placed on Consent Calendar. Motion carried  
unanimously by voice vote.

EXECUTIVE ACTION ON HB 85

00:29:35

Motion/Vote: REP. WISEMAN moved that HB 85 DO  
PASS. Motion carried unanimously by roll call vote  
with REP. BIXBY, REP. CAMPBELL and REP. FACEY  
voting aye by proxy.

00:30:03

Motion: REP. LAMBERT moved that HB 85 be placed  
on Consent Calendar. Motion carried unanimously by  
voice vote.

EXECUTIVE ACTION ON HB 38

00:30:55

Motion: REP. FACEY moved that HB DO PASS.

[EXHIBIT](#) (tah07a02)

Discussion:

00:33:49

REP. RASER

00:35:04

REP. BUTCHER

00:37:14

REP. WISEMAN

00:37:58

REP. FACEY

00:38:41

Motion/Vote: REP. PETERSON moved that the  
Amendment to HB 38 DO PASS. Motion carried  
unanimously by voice vote.

00:39:10        Motion:   REP. FACEY moved that HB 38 DO PASS AS  
                 AMENDED.

Discussion:

00:39:54        REP. BUTCHER  
00:40:41        REP. COHENOUR  
00:42:05        REP. LAKE  
00:43:14        REP. BRANAE

00:44:32        Vote: Motion carried unanimously by roll call vote  
                 with REP. BIXBY and REP. CAMPBELL voting aye by  
                 proxy.

00:44:59        Motion:   REP. COHENOUR moved to place HB 38 on  
                 Consent Calendar.   Motion denied as REP. FACEY  
                 voiced objection.

**ADJOURNMENT**

Adjournment: 9:15 A.M.

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REP. KARL WAITSCHIES, Chairman

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DEBRA POLHEMUS, Secretary

KW/DP

Additional Exhibits:

**EXHIBIT ([tah07aad0.TIF](#))**